

MONO COUNTY PLANNING COMMISSION

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MEETING MINUTES

JULY 10, 2008
(Adopted August 29, 2008)

Commissioners present: Sally Miller, Dan Roberts, Paul Rowan, Steve Shipley. **Absent:** Scott Bush
Staff present: Scott Burns, director; Gerry Le Francois, principal planner; Gwen Plummer, senior planner; Heather deBethizy, planning intern; Evan Nikirk, Garrett Higerd & Walt Lehmann, public works; Allen Berrey, assistant county counsel; C.D. Ritter, commission secretary.

1. **CALL TO ORDER:** Chair Sally Miller called the meeting to order at 10:05 a.m.
2. **PUBLIC COMMENT:** No items.
3. **MEETING MINUTES:** Adopt minutes of June 12, 2008. (Shipley/Roberts. Ayes: 4-0. Absent: Bush.)

4. **PUBLIC HEARINGS:**

A. TENTATIVE PARCEL MAP 37-189/DeFlyer: The project (APN 26-200-47) would subdivide a 16.5-acre parcel into four 2.5-acre lots and a remainder of 5.55 acres. The property is located east of Mountain View Avenue, which is accessed via Valley Road in the community of Chalfant. The General Plan designation is Agriculture with a 2.5-acre minimum parcel size (AG). *Staff: Gwen Plummer*

Gwen Plummer reviewed the project. The parcel was used for agricultural production in the past 40 years, and now the proponents are growing grasses to reduce dust. The remainder parcel cannot be created for sale, lease or finance. If the minimum is 2.5 acres, further subdivision would require a Specific Plan and/or General Plan Amendment.

OPEN PUBLIC HEARING: Joe DeFlyer, applicant, wanted to discuss with staff the secondary housing provision. Scott Burns noted that the ordinance requires mitigation but allows alternatives.

The housing proposed on the remainder parcel has legal implications. Allen Berrey explained that the process could get "out of whack" if a parcel map were approved without housing mitigation in place. A lengthy discussion on Condition #35's housing requirement concluded with Evan Nikirk's reminder of the choices: pay a fee, deed-restrict, or work out an alternative.

Janet DeFlyer stepped to the podium and offered to keep Condition #35 as is, but commented that two [workforce] housing units in Chalfant still remain unsold.

Commissioner Shipley indicated that the intent of the ordinance was secondary housing for a renter in a small ancillary building. Because a deed-restricted lot is worth less money, the objective would be to build more on a lot. Scott Burns indicated that an attached unit would be self-contained. DeFlyer described an older, remodeled housing unit on the remainder parcel that is intended as a rental. **CLOSE PUBLIC HEARING.**

DISCUSSION: Commissioner Rowan noted that Sierra Springs at Crowley Lake has small lots with separate gas and electric meters. Evan Nikirk indicated that Condition #26 should be modified (see rewording in the following Motion).

DISTRICT #1
COMMISSIONER
Paul Rowan

DISTRICT #2
COMMISSIONER
Steve Shipley

DISTRICT #3
COMMISSIONER
Daniel Roberts

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Sally Miller

MOTION: Approve Tentative Parcel Map 37-189, modifying Condition #26 to read: The developer shall make an offer of dedication on the parcel map for a ~~60~~ **40**-foot-wide right-of-way for street, drainage, and public utility purposes **and a 10' snow storage easement as shown on the tentative parcel map.** (Shiple/Rowan. Ayes: 4-0. Absent: Bush.)

B. VARIANCE 08-01/Davis: The project would permit a front-yard setback reduction for a single-family home from the standard 20' to 10' subject to a future road vacation of 20' along Boulder Drive and a lot merger of APNs 16-204-11 and -12. Reversed Creek runs along the western property line of APN 16-204-11. The project is located in the Petersen Tract in the community of June Lake. The General Plan designation is single-family residential (SFR). A California Environmental Quality Act (CEQA) exemption is proposed. *Staff: Gerry Le Francois*

Gerry Le Francois presented a map showing that Reversed Creek constrains one lot. The variance is predicated on a future road vacation and a lot merger. A Caltrans letter indicated that only Caltrans or Edison has access. Condition #5 was modified for the applicant to improve access for other users.

Heather deBethizy reviewed the findings. Constraints deprive this property of privileges enjoyed by other area owners with the same land use designation. The western part of the project has been rendered unbuildable, so the project would be pushed to the east and a 20' front setback allowed. A lot merger would decrease density in the area, with one home instead of two. An engineer has verified sufficient room for a future road.

OPEN PUBLIC HEARING: Tom Davis, applicant, commended Le Francois and deBethizy for their efforts. Boulder Drive serves several residences, but dead-ends at an embankment. A water/sewer easement further constrains. **CLOSE PUBLIC HEARING.**

DISCUSSION: Commissioner Roberts viewed the property and observed a tight spot with a lot of water, steep topography, and only one building site. The June Lake Area Plan identified the need for another entrance to the Petersen Tract. Garnet is still available, but would have to bridge the creek. Evan Nikirk confirmed a road vacation on Boulder Drive, leaving Garnet Drive open to future access. Scott Burns cited a capital facilities study that looked at secondary access.

MOTION: Approve Variance 08-01 as presented (Shiple/Roberts. Ayes: 4-0. Absent: Bush.)

C. VARIANCE 08-02/McCabe & Hickson: The project would permit a front-yard setback reduction for a single-family home from the standard 20' to 8'. An increase in lot coverage from a maximum of 40% up to 42% is also proposed. The project (APN 16-201-20) is located in the Petersen Tract in the community of June Lake. The General Plan designation is single-family residential (SFR). A California Environmental Quality Act (CEQA) exemption is proposed. *Staff: Gerry Le Francois*

Gerry Le Francois reviewed the project, and Heather deBethizy discussed the findings. No objections from nearby property owners have been received. A Caltrans comment letter mentioned an island of USFS property between the parcel and S.R. 158, but the USFS is unlikely to deny access.

OPEN PUBLIC HEARING: Applicant Steve McCabe and Lisa Hickson commended the planners as assets to Mono County. They have been consulting with Sheila Irons of USFS and talking with Caltrans. A dirt drive will be paved later. Rea Drive would make it a double-frontage lot, so the house could not be pushed farther back. The porch variance is for a snow shed. **CLOSE PUBLIC HEARING.**

DISCUSSION: Commissioner Shiple wondered about a variance off Rea Drive instead. Rea is not improved, and the sewer main is located at the front of the property.

MOTION: Approve Variance 08-02 as presented. (Miller/Shiple. Ayes: 4-0. Absent: Bush.)

5. WORKSHOP: No items.

6. REPORTS:

A. DIRECTOR: 1) Commission matter: Commissioner Bush's work schedule conflicts with Thursday commission meetings. Supervisor Reid supports Bush's presence on commission. The options are to change the meeting day or conduct Special Meetings. Staff will discuss options. 2) Rodeo Grounds: The project has been reduced to 770 units and less commercial space. The Design Guidelines were reviewed to identify efforts needed for compliance. The CAC is likely to conclude review at its August meeting. The draft document will be available for public review later in the fall and go to commission next year. Commissioner Miller suggested a commission-sponsored field trip prior to snowfall. 3) Land tenure: A \$150,000 grant has been received. The BLM, in conjunction with Inyo County, is soliciting consultants to identify community expansion needs. Four meetings will be held in the fall, likely with RPACs. Policy direction is sought for adjustments to Area Plans. A 395 Corridor Study is an ongoing issue for some communities.

B. PLANNING COMMISSIONERS/STAFF: Roberts: Polarization within the community is getting in the way of working on Rodeo Grounds issues. Le Francois: Rock Creek Canyon/Hooper, formerly Paradise Lodge, will be the focus of a scoping meeting Monday, Aug. 18. Rock Creek Ranch/C & L Development is preparing to release a Draft EIR.

7. ADJOURN: 11:39 a.m.

Respectfully submitted,
C.D. Ritter, commission secretary